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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,375	01/04/2001	Eckhard Puerkner	646-115	4059

423 7590 04/23/2002

HENKEL CORPORATION
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EXAMINER

GALLAGHER, JOHN J

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 04/23/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/700375

Applicant(s)

Examiner

Group Art Unit

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 and 12-30 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 and 12-30 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. Applicants' Preliminary Amendments (2), filed 04 and 22 January 2001, have both been received and made of record.

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

3. The disclosure is objected to because of the following informalities: (a) Page 7 line 29 - word "corresponding" not understood (i.e. apparently unnecessary); (b) page 20 line 25 - insert "that" after "insure"; and (c) page 27 line 1 - change "CLAIMS" to "We Claim" or equivalent, as per MPEP § 608.01(m).

Appropriate correction is required.

4. Claim 25 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, this claim is seen to be possibly incorrect, in that it is unclear whether applicants intend that the FINAL LAMINATE ARTICLE OR PRODUCT recited therein be "moisture-tackifiable".

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one

year prior to the date of application for patent in the United States.

6. Claims 1 and 12-15 are rejected under 35 U.S.C. § 102(b) as being (clearly) anticipated by either Cooper et al. or Miller et al.

Cooper et al. (Fig. 1, column 2 lines 26-36 and 51-72, column 3 lines 1-27 and 68-75, column 4 lines 1-30 and 55-75, column 5 lines 1-8) and Miller et al. (Abstract, column 1 lines 23-25, column 2 lines 13-15, column 4 lines 30-45, column 5 lines 23-59) both disclose that it is known to adhere two (e.g. paper) substrates via the interposition therebetween of a water soluble, hot melt (various and polyester, respectively) adhesive.

7. Claims 16 and 19-30 are rejected, and claims 1 and 12-15 are further rejected under 35 U.S.C. § 102(b) as being (clearly) anticipated by Sirota et al. (cited and applied in the PCT International Search Report).

Sirota et al. disclose most similar to the two above applied references wherein (a) the adhesive is a poly(ethylene oxide) (compare applicants' specification at page 8 lines 8-10 with column 2 lines 32-35 and column 3 lines 1-3 of this reference); and (b) laminated hygienic paper products may be formed. (Abstract, column 1 lines 33-37, column 2 lines 32-35, 51-52 and 66-72, column 3 lines 1-3 and 30-37).

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8. Claims 17-23 and 25 are rejected, and claims 1 and 12-15 are still further rejected under 35 U.S.C. § 102(b) as being (clearly) anticipated by the Japanese CHEM KK reference.

The CHEM KK reference discloses most similar to the three above applied references wherein the adhesive is a nonionic polyurethane. (English Translation Abstract).

9. With each of the foregoing art rejections of paragraphs 6-8, all of the essential limitations (to include the properties and characteristics of the adhesive (e.g. solubility in water of at least 3% by weight)) of the claims as indicated are seen to be satisfied by each of these respective references.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. J. Gallagher whose telephone number is (703) 308-1971. The examiner can normally be reached on M-F from approximately 8:30 A.M. to 5 P.M. The examiner can also be reached on alternate N/A.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball, can be reached on (703) 308-2058. The fax phone number for this Group is (703) ⁸⁷⁴⁻⁹³¹⁰~~305-3599~~.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661/0662.


JJGallagher:cdc

April 10, 2002



JOHN J. GALLAGHER
PRIMARY EXAMINER
ART UNIT 131 / 733